UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE at KNOXVILLE

JEROME WILLIAM DEVEREAUX,)	
)	
Petitioner, v.)	
)	
)	3:05-cv-562
)	Phillips
JIM WORTHINGTON, Warden,)	
)	
)	
Respondent.)	

JUDGMENT ORDER

In accordance with the accompanying Memorandum, the petitioner's motion to substitute Warden David Mills for Warden Jim Worthington as respondent is **GRANTED**. Petitioner's motion for an evidentiary hearing and expansion of the record is **DENIED**. The petition for the writ of habeas corpus is **DENIED** and this action is **DISMISSED**. Should the petitioner give timely notice of an appeal from this decision, such notice will be treated as an application for a certificate of appealability, which under the circumstances is hereby **DENIED**. The court **CERTIFIES** that any appeal from this action would not be taken in good faith and would be totally frivolous.

ENTER:	
	s/ Thomas W. Phillips
	United States District Judge
ENTERED AS A JUDGMENT	

s/ *Patricia L. McNutt* CLERK OF COURT